

Exhibit 7

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**From:** Mark Pifko <MPifko@baronbudd.com>  
**Sent:** Wednesday, January 16, 2019 9:51 PM  
**To:** Rincon, Cristina M.; 'David@SpecialMaster.Law'  
**Cc:** Weinstein, Brian S.; Jaime-Bettan, Gabriel; 'xALLDEFENDANTS-MDL2804-Service@arnoldporter.com'; 'MDL2804discovery@motleyrice.com'; Josh Gay  
**Subject:** Re: Motion to Compel re HDA Subpoena

Special Master Cohen:

I write to provide this short email response to HDA's unauthorized sur-reply. When we agreed on the submission of briefs, we only discussed the timing of the opening brief and HDA's opposition because HDA needed to know when we would file our moving papers so they could decide how much time they would want for opposition. The moving party customarily gets a reply brief as the final word on their motion (see, e.g., Local Rule 7.1(e)) and HDA expressly agreed to the jurisdiction of this Court for purposes of resolving this dispute. We never agreed that we would forgo a reply. It was not necessary to discuss the timing of the reply because HDA was not entitled to respond. The only thing that is unauthorized here is HDA's sur-reply, which was provided without leave of Court and without our agreement. As far as the search term proposal in our reply, we were simply trying to propose a compromise, in an effort to make it easier for you to resolve the parties' dispute.

**Mark Pifko**  
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**From:** Cristina Rincon <cristina.rincon@davispolk.com>  
**Date:** Wednesday, January 16, 2019 at 4:44 PM  
**To:** Mark Pifko <MPifko@baronbudd.com>, "David@SpecialMaster.Law" <David@SpecialMaster.Law>  
**Cc:** Brian Weinstein <brian.weinstein@davispolk.com>, Gabriel Jaime-Bettan <gabriel.jaime@davispolk.com>, "xALLDEFENDANTS-MDL2804-Service@arnoldporter.com" <xALLDEFENDANTS-MDL2804-Service@arnoldporter.com>, "MDL2804discovery@motleyrice.com" <mdl2804discovery@motleyrice.com>, Josh Gay <jgay@levinlaw.com>  
**Subject:** RE: Motion to Compel re HDA Subpoena

Special Master Cohen:

Please see the attached correspondence on behalf of third-party Healthcare Distribution Alliance in connection with Plaintiffs' motion to compel.

Regards,  
Cristina Rincon

**Cristina M. Rincon**

**Davis Polk & Wardwell LLP**

450 Lexington Avenue | New York, NY 10017  
+1 212 450 3037 tel | +1 212 701 6037 fax  
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**From:** Mark Pifko <MPifko@baronbudd.com>

**Sent:** Tuesday, January 15, 2019 7:38 PM

**To:** 'David@SpecialMaster.Law' <David@SpecialMaster.Law>

**Cc:** Weinstein, Brian S. <brian.weinstein@davispolk.com>; Rincon, Cristina M. <cristina.rincon@davispolk.com>; Jaime-Bettan, Gabriel <gabriel.jaime@davispolk.com>; 'xALLDEFENDANTS-MDL2804-Service@arnoldporter.com' <xALLDEFENDANTS-MDL2804-Service@arnoldporter.com>; 'MDL2804discovery@motleyrice.com' <MDL2804discovery@motleyrice.com>; Josh Gay <jgay@levinlaw.com>

**Subject:** Re: Motion to Compel re HDA Subpoena

Special Master Cohen,

Please see the attached brief, three-page reply on this issue. For your convenience, I'm attaching all the correspondence submitted on this topic, so it is all in one place.

**Mark Pifko**

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**From:** Cristina Rincon <[cristina.rincon@davispolk.com](mailto:cristina.rincon@davispolk.com)>

**Date:** Friday, January 11, 2019 at 7:42 PM

**To:** "[David@SpecialMaster.Law](mailto:David@SpecialMaster.Law)" <[David@SpecialMaster.Law](mailto:David@SpecialMaster.Law)>

**Cc:** Brian Weinstein <[brian.weinstein@davispolk.com](mailto:brian.weinstein@davispolk.com)>, "[xALLDEFENDANTS-MDL2804-Service@arnoldporter.com](mailto:xALLDEFENDANTS-MDL2804-Service@arnoldporter.com)" <[xALLDEFENDANTS-MDL2804-Service@arnoldporter.com](mailto:xALLDEFENDANTS-MDL2804-Service@arnoldporter.com)>, "[MDL2804discovery@motleyrice.com](mailto:MDL2804discovery@motleyrice.com)" <[MDL2804discovery@motleyrice.com](mailto:MDL2804discovery@motleyrice.com)>, Gabriel Jaime-Bettan <[gabriel.jaime@davispolk.com](mailto:gabriel.jaime@davispolk.com)>, Mark Pifko <[MPifko@baronbudd.com](mailto:MPifko@baronbudd.com)>

**Subject:** RE: Motion to Compel re HDA Subpoena

Special Master Cohen:

Attached please find the exhibits to HDA's letter brief responding to Plaintiffs' letter in support of their motion to compel.

Regards,  
Cristina Rincon

**Cristina M. Rincon**

**Davis Polk & Wardwell LLP**

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**From:** Rincon, Cristina M.

**Sent:** Friday, January 11, 2019 7:39 PM

**To:** [David@SpecialMaster.Law](mailto:David@SpecialMaster.Law)

**Cc:** Weinstein, Brian S. <[brian.weinstein@davispolk.com](mailto:brian.weinstein@davispolk.com)>; [xALLDEFENDANTS-MDL2804-Service@arnoldporter.com](mailto:xALLDEFENDANTS-MDL2804-Service@arnoldporter.com); [MDL2804discovery@motleyrice.com](mailto:MDL2804discovery@motleyrice.com); Jaime-Bettan, Gabriel <[gabriel.jaime@davispolk.com](mailto:gabriel.jaime@davispolk.com)>; 'Mark Pifko' <[MPifko@baronbudd.com](mailto:MPifko@baronbudd.com)>

**Subject:** RE: Motion to Compel re HDA Subpoena

Special Master Cohen:

On behalf of our client, Healthcare Distribution Alliance ("HDA"), attached please find HDA's letter brief responding to Plaintiffs' letter in support of their motion to compel. We will send the exhibits to HDA's letter in a follow-up email.

Regards,  
Cristina Rincon

**Cristina M. Rincon**

**Davis Polk & Wardwell LLP**

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**From:** Mark Pifko <[MPifko@baronbudd.com](mailto:MPifko@baronbudd.com)>

**Sent:** Friday, December 28, 2018 9:15 PM

**To:** [David@SpecialMaster.Law](mailto:David@SpecialMaster.Law)

**Cc:** Weinstein, Brian S. <[brian.weinstein@davispolk.com](mailto:brian.weinstein@davispolk.com)>; Rincon, Cristina M. <[cristina.rincon@davispolk.com](mailto:cristina.rincon@davispolk.com)>; [xALLDEFENDANTS-MDL2804-Service@arnoldporter.com](mailto:xALLDEFENDANTS-MDL2804-Service@arnoldporter.com); [MDL2804discovery@motleyrice.com](mailto:MDL2804discovery@motleyrice.com)

**Subject:** Motion to Compel re HDA Subpoena

Special Master Cohen:

Please see the attached letter brief in support of Plaintiffs' motion to compel regarding their subpoena to the Healthcare Distribution Alliance (HDA). HDA's counsel consented to the jurisdiction of the MDL Court and Your Honor to resolve the parties' dispute. Under the agreement with the HDA, Plaintiffs' letter brief is due today and the HDA's opposition is due January 11, 2019. We ask that this be heard as soon as possible after the HDA submits their brief. My colleague Sterling Cluff will be sending the exhibits to Plaintiffs' submission in a separate email.

**Mark Pifko**

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